

1 Earl Moore  
2 88 Ignacio Avenue  
3 San Francisco, CA 94124  
4 (415) 467-0787

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**FILED**

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UNITED STATES BANKRUPTCY COURT  
SAN FRANCISCO, CA

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

7 EARL MOORE,

8 Petitioner/Claimant,

9 vs.

10 YELLOW CAB COOPERATIVE INC.,

11 Debtor/Respondent

Case No.: 16-30063 DM

**TRUSTEE'S**

OPPOSITION TO OBJECTION TO CLAIMS BY  
OWNERS; REQUEST FOR ADDITIONAL TIME TO  
AMEND CLAIMS AND SUBMIT BRIEF  
SUPPORTING OPPOSITION TO TRUSTEE'S  
OBJECTION

12 Earl Moore, the claimant in the above-captioned matter, hereby submits the following opposition  
13 to the objection to claims 273 and 274, pursuant to Federal rule of bankruptcy 3007. This objection is timely  
14 submitted pursuant to Federal rule of bankruptcy procedure 3007 and bankruptcy rule 9014.

15 I am requesting additional time to amend the claims and submit a brief supporting opposition to  
16 the trustee's objections because in my research, I discovered that the claims need to be amended to accurately reflect  
17 the amounts and claims owed by the debtor in the above-captioned case. I am also requesting additional time  
18 because, as an Elderly unrepresented claimant, the law school libraries are closed to the public for final exams. After  
19 the conclusion of the final exam period these libraries will be closed or operating on extremely limited hours until  
20 after the new year. I will need an additional 30 days to amend this claim and to submit a supplemental brief and  
21 memorandum of points and authorities outlining the legal basis for the validity of my amended claims as well as my  
22 opposition to the trustee's objections.

23 The Memorandum of Points and Authorities show that my claims are valid. These claims are  
24 substantiated and based on state law that serves as the basis for both claims. Furthermore, my claims are not  
25 duplicates as speculatively stated by the trustee. The trustee's objection does not offer any substantial evidence that  
26 the claim is invalid, excessive or prohibited by the bankruptcy code or any applicable statute.

27  
28 OPPOSITION TO OBJECTION TO CLAIMS BY OWNERS; REQUEST FOR ADDITIONAL TIME TO AMEND  
CLAIMS AND SUBMIT BRIEF SUPPORTING OPPOSITION TO TRUSTEE'S OBJECTION - 1

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**MEMORANDUM OF POINTS AND AUTHORITIES**


The proof of a claim, if filed in accordance with Bankruptcy Code section 501, and the pertinent bankruptcy rules, constitutes prima facie evidence of the validity and amount of the claim under Federal Rules of Bankruptcy Procedure 3001 and Bankruptcy Code section 502 (a).<sup>1</sup> Unless the trustee, as objector, introduces evidence as to the invalidity of the claim or the excessiveness of its amounts, the claimant need offer no further proof of the merits of the claim.<sup>2</sup>

**CONCLUSIONS**

I am filing this opposition and memorandum of points and authorities to timely object to the trustee's objection to claim, and to preserve my rights to a trial.

Wherefore, petitioner/claimant prays that the court will grant the relief requested for additional time amend the claims and file an additional response to the timely filed opposition to the Trustee's Objection to Claim.

Dated this 30 of November, 2018.

  
\_\_\_\_\_  
Earl Moore

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<sup>1</sup> Ashford v. Consolidated Pioneer Mortgage (In re Consolidated Pioneer Mortgage), 178 B.R. 222 (B.A.P. 9<sup>th</sup> Cir. 1995)

<sup>2</sup> Brown v. IRS (In Re Brown), 82 F.3d 801 (8<sup>th</sup> Cir. 1996)